



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 20-291

RESOLUTION

URGING THE CITY ADMINISTRATION TO ESTABLISH, ADMINISTER, AND IMPLEMENT FINANCIAL RELIEF PROGRAMS FOR CERTAIN BUSINESSES THAT HAVE FACED ADVERSE IMPACTS AND INVOLUNTARY CLOSURES RESULTING FROM COVID-19-RELATED EMERGENCY PROCLAMATIONS AND ORDERS.

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of the COVID-19 virus a public health emergency of international concern; and

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services declared the outbreak of COVID-19 a public health emergency for the United States; and

WHEREAS, on March 4, 2020, the Governor of the State of Hawaii issued a proclamation declaring the existence of a state of emergency in the State due to the COVID-19 outbreak and invoking his authority under the Hawaii Emergency Management Act, Hawaii Revised Statutes Chapter 127A; and

WHEREAS, also on March 4, 2020, Mayor Kirk Caldwell ("Mayor") issued a proclamation declaring the existence of a state of emergency in the City and County of Honolulu ("City") due to the COVID-19 outbreak and invoking the Mayor's authority under the Hawaii Emergency Management Act; and

WHEREAS, on March 11, 2020, the World Health Organization designated the COVID-19 outbreak a pandemic of international concern; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency in response to the COVID-19 pandemic; and

WHEREAS, thereafter, the Mayor issued subsequent proclamations that have, among other things, extended the state of emergency in the City due to the COVID-19 pandemic; and

WHEREAS, in accordance with, among other things, the above-mentioned Mayoral proclamations, the Mayor issued Mayor's Emergency Order Nos. 2020-02, "Stay at Home/Work from Home Order" (effective from 4:30 p.m. on March 23, 2020 through 4:30 p.m. on April 30, 2020), 2020-09 (effective from April 30 through May 18, 2020), and 2020-11 (effective from May 13, 2020 through June 30, 2020), which substantially prohibited/restricted those businesses that were deemed "nonessential" under those Orders, such as bars, nightclubs, and performing arts venues, such as



RESOLUTION

theatres and cinemas (collectively "nonessential businesses"), from conducting their normal business operations and resulted in the involuntary closure of many of those businesses; and

WHEREAS, thereafter, the Mayor issued Mayor's Emergency Order No. 2020-25 ("Second Stay at Home/Work from Home Order," effective from August 27, 2020 through September 9, 2020 and generally extended by Mayor's Emergency Order No. 2020-26 to September 23, 2020), Mayor's Emergency Order No. 2020-27 (which established Honolulu's COVID-19 Recovery Framework and implemented Tier 1 of Honolulu's COVID-19 Recovery Framework), and Mayor's Emergency Order No. 2020-29, which implemented Tier 2 of Honolulu's COVID-19 Recovery Framework and which continues to have severe and unprecedented adverse impacts upon nonessential business, including but not limited to, requiring bars, nightclubs, and certain indoor attractions to essentially remain closed until certain metrics are met that would allow such businesses to reopen under certain restrictions; and

WHEREAS, the Council of the City and County of Honolulu finds that:

1. The Small Business Relief and Recovery Fund program, which is administered by the City Administration, and which, among other things, reimburses small businesses for costs resulting from business interruptions due to the above-mentioned emergency proclamations, does not adequately address the skyrocketing expenses/costs facing nonessential businesses, whose business operations have been either adversely impacted and/or involuntarily halted for extended periods of time due to the emergency proclamations and orders, to operate safely and continue to operate safely once they are allowed to open;
2. Jurisdictions like Arizona (which offered grants for up to two months of rent or mortgage payments with a maximum award of \$25,000 through its Arizona Small Business Rent and Mortgage Relief Grant Program), Delaware (which offered loans of up to \$10,000 per month to entities within certain North American Industry Classification System code industries such as drinking places, amusement parks and arcades, museums and historical sites, promoters of performing arts, performing arts companies and others through its Hospitality Emergency Loan Program), Maryland (whose Small Business COVID-19 Emergency Relief Grant Fund offered grants of up to \$10,000 per month for three months to assist small businesses and nonprofits with operations that had been disrupted due to COVID-19), Utah (which provided rental relief to small



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 20-291

RESOLUTION

businesses that lost revenue due to business closures through its COVID-19 Commercial Rental Assistance Program), Wyoming (which provided immediate relief for losses to bars, restaurants, theaters, gymnasiums, massage therapy offices, etc., during the initial months of the pandemic through the Wyoming Business Interruption Fund), and others throughout the country recognized the heavy burdens imposed upon small businesses from mandatory/involuntary shutdowns; and

3. The nonessential businesses in the City, whose operations have been adversely affected and have essentially had to involuntarily close due to the above-mentioned emergency proclamations and orders issued since March 2020, are in serious need of financial relief to assist them in retooling their normal business operations to implement and abide by the social distancing requirements and other safety precautions required by the emergency proclamations and orders and enable those businesses to reopen/operate safely and continue to operate safely once they are allowed to reopen;

now, therefore,

BE IT RESOLVED by the Council of City and County of Honolulu that the City Administration is urged to establish, administer, and implement:

1. A financial relief program for bars and nightclubs that would provide direct grants to the owners of such bars and nightclubs for the equivalent of ____ months' rent and the owners' fiscal year 2021 liquor license fees (new or renewal, as applicable); provided that such owners' had exclusively been using their premises as a bar or nightclub as of February 2020 and to date have not been cited for violations of the provisions of any of the above-mentioned Mayor's Emergency Orders that have resulted in the involuntary closure of and/or the disruption of operations for such bars and nightclubs;
2. A financial relief program for business owners of indoor attractions/entertainment facilities, which include but are not limited to, bowling alleys, arcades, indoor mini golf courses, movie theatres, museums and other similar indoor entertainment facilities that would provide direct grants to such owners for the equivalent of ____ months' rent; provided that such business owners' had exclusively used their premises as an indoor attraction as of February 2020 and to date have not



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 20-291

RESOLUTION

been cited for violations of the provisions of any of the above-mentioned Mayor's Emergency Orders that have resulted in the involuntary closure of and/or the disruption of operations for such indoor attractions; and

BE IT FURTHER RESOLVED that the City Administration is further urged to utilize all available and appropriate sources of funding for purposes of establishing, administering, and implementing the above-mentioned programs; and



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 20-291

RESOLUTION

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, Office of Economic Revitalization, President of the Chamber of Commerce of Hawaii, President of the Hawaii Restaurant Association, President of the Hawaii Bar Owners' Association, and the Hawaii Association for the Performing Arts.

INTRODUCED BY:

Carol Fuhemaga

DATE OF INTRODUCTION:

OCT 28 2020

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 20-291

Introduced: 10/28/20 By: CAROL FUKUNAGA

Committee: ECONOMIC ASSISTANCE
AND REVITALIZATION

Title: RESOLUTION URGING THE CITY ADMINISTRATION TO ESTABLISH, ADMINISTER, AND IMPLEMENT FINANCIAL RELIEF PROGRAMS FOR CERTAIN BUSINESSES THAT HAVE FACED ADVERSE IMPACTS AND INVOLUNTARY CLOSURES RESULTING FROM COVID-19-RELATED EMERGENCY PROCLAMATIONS AND ORDERS.

Voting Legend: * = Aye w/Reservations

11/18/20	ECONOMIC ASSISTANCE AND REVITALIZATION	CR-305 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION. 4 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI (temporary voting member), TEXEIRA 3 EXCUSED: MANAHAN, MENOR, WATERS
12/09/20	COUNCIL	CR-305 AND RESOLUTION 20-291 WERE ADOPTED. 8 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MENOR, PINE, TEXEIRA, TSUNEYOSHI, WATERS. 1 ABSENT: MANAHAN.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


GLEN I. TAKAHASHI, CITY CLERK


ANN KOBAYASHI, CHAIR AND PRESIDING OFFICER